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Ms. McKennon presented the Finance and Claims Committee Report covering the regular meeting held August 14, 2001. After presentation and review of the forgoing Committee Report, Ms. McKennon moved that the regular Finance and Claims Committee Report of August 14, 2001 be approved and adopted, noting the Committee withdrawal of items 2 (19) and 2 (20) of Section I. The motion was supported by Mr. Dore.

Mr. DeBano moved to amend the motion presented by Ms. McKennon to postpone the vote on agenda item 2 (24) of Section I regarding Elder Law of Michigan. Mr. Dore supported the motion and it was unanimously approved.

Mr. Hughes moved for the consideration of the motion to approve the Finance and Claims agenda of August 14, 2001, excluding item 2 (24) of Section I. Mr. Hildenbrand supported the motion and it was unanimously approved.

Ms. Wolenberg moved that the Board table the remaining agenda item for clarification of the contract language. The motion died for lack of support.

Mr. Hughes stated that the Attorney General could not support the Long Term Care Ombudsman contract award in Section I item 2 (24). The Attorney General declines approval because the contract, by its terms and conditions, incorporates the requirement that a Social Security number be required as a condition of providing services; and, that the contract, by its terms and conditions, prohibits the Ombudsman from having the freedom of press releases or data information release without the approval of the OSA.

The Attorney General feels this contract is poor public policy for four reasons. The requirement of collecting Social Security numbers will have a chilling effect upon persons needing to report abuse of long term care services. The Social Security number requirement to file a complaint will create a fear of retaliation for those receiving care or their families.

The requirement of Social Security numbers is an invasion of personal privacy. The collection of these numbers will only increase fears of keeping anonymity and increase the concerns of having witnesses become intimidated.

Identity fraud has already been a problem identified by the Attorney General regarding hospital patients. This will only allow further opportunity for this type of crime.

Federal and State law require that the Ombudsman be an independent advocate. The contract language inappropriately requires that public information or testimony first be approved by OSA.

Mr. Dore moved to amend the motion to approve the Long Term Care Ombudsman contract to add the contingency that the collection of the Social Security numbers are not required to receive services. The motion was supported by Mr. Hildenbrand and unanimously approved.

Mr. Hughes moved that the motion be amended to include the deletion of two contract paragraphs (Section XVII D and E), that require ombudsman documents and press releases to first be approved by the OSA. Ms. Wolenberg supported the motion. The motion was defeated on a vote of two to four.

Mr. DeBano's motion to approve the Long Term Care Ombudsman contract, item 2 (24) Section I of the agenda, with the contingency that the collection of Social Security numbers not be required to receive services, was called for a vote by Mr. DeBano. The motion passed on a four to two vote.

